

HOUSE BILL 71

B1, P1

0lr1301

By: **Delegates Carr, Bagnall, Johnson, Korman, Lierman, ~~and Miller~~ Miller, and Terrasa**

Introduced and read first time: January 9, 2020

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 11, 2020

CHAPTER _____

1 AN ACT concerning

2 **Maryland Funding Accountability and Transparency Act – Nonbudgeted State**
3 **Agencies**

4 FOR the purpose of altering the Maryland Funding Accountability and Transparency Act
5 to require the Department of Budget and Management to include in a certain
6 searchable website payments made by certain units of State government; requiring
7 the Department to update the payment data on the searchable website within a
8 certain period of time; repealing an obsolete provision; making a technical correction;
9 making stylistic changes; and generally relating to the Maryland Funding
10 Accountability and Transparency Act.

11 BY repealing and reenacting, with amendments,
12 Article – State Finance and Procurement
13 Section 3A–313
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2019 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – State Finance and Procurement**

19 3A–313.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) In this section the following words have the meanings indicated.

2 (2) **“AGENCY” INCLUDES A UNIT OF STATE GOVERNMENT THAT**
3 **RECEIVES FUNDS THAT ARE NOT APPROPRIATED IN THE ANNUAL BUDGET BILL.**

4 (3) (i) “Payee” means any party who receives from the State an
5 aggregate payment of \$25,000 in a fiscal year.

6 (ii) “Payee” does not include:

- 7 1. a State employee with respect to the employee’s
8 compensation; or
- 9 2. a State retiree with respect to the retiree’s retirement
10 allowance.

11 [(3)] (4) “Searchable [Web site] WEBSITE” means a [Web site] WEBSITE
12 created in accordance with this section that displays and searches State payment data.

13 (b) (1) [On or before January 1, 2009, the] **THE** Department shall develop and
14 operate a single searchable [Web site] WEBSITE, accessible to the public at no cost through
15 the Internet.

16 (2) **ON OR BEFORE THE 15TH DAY OF THE MONTH THAT FOLLOWS THE**
17 **MONTH IN WHICH AN AGENCY MAKES A PAYMENT TO A PAYEE, THE DEPARTMENT**
18 **SHALL UPDATE THE PAYMENT DATA ON THE SEARCHABLE WEBSITE.**

19 (c) The searchable [Web site] WEBSITE shall contain State payment data,
20 including:

21 (1) the name of a payee receiving a payment;

22 (2) the location of a payee by postal zip code;

23 (3) the amount of a payment; and

24 (4) the name of an agency making a payment.

25 (d) The searchable [Web site] WEBSITE shall allow the user to:

26 (1) search data for fiscal year 2008 and each year thereafter; and

27 (2) search by the following data fields:

28 (i) a payee receiving a payment;

1 (ii) an agency making a payment; and

2 (iii) the zip code of a payee receiving a payment.

3 (e) State agencies shall provide appropriate assistance to the Secretary to ensure
4 the existence and ongoing operation of the single [Web site] WEBSITE.

5 (f) This section may not be construed to require the disclosure of information that
6 is confidential under State or federal law.

7 (g) This section shall be known and may be cited as the “Maryland Funding
8 Accountability and Transparency Act [of 2008]”.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.